



Town of Jericho  
DEVELOPMENT REVIEW BOARD  
67 Route 15  
Jericho, VT 05465

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JESSICA R. ALEXANDER, TOWN CLERK  
JERICHO, VT

**Via Certified Mail**

October 19, 2015

JD and Jennifer Bugbee  
5 South Main Street  
Jericho, VT 05465

RE: 5 South Main Street  
Conditional Use Request for change of use to a multifamily dwelling

Dear Mr. and Mrs. Bugbee:

At a meeting of the Jericho Development Review Board held on September 24, 2015, the Board heard your request for a Conditional Use Review for a change of use of the former location of the Autosmith auto repair facility, into a multifamily dwelling. The parcel is located at 5 South Main Street, in the Commercial (COM) Zoning District. The Parcel Code is SM005.

After review of the application, the Board unanimously voted to **approve your request with conditions**. Listed below are the Findings of Fact and Conditions that were approved by the Development Review Board on September 25, 2015:

**FINDINGS OF FACT**

1. The requested new use is a Multi-family dwelling (greater than 2 units). This use would be classified in the *Jericho Land Use and Development Regulations §4.4 Table of Uses*, as "2.2.2. Multi-family dwelling".
2. The applicant received Conditional Use approval for the same project on May 22, 2014, which expired because the applicant failed to obtain a building permit within 180 days of approval as per §10.9.5.1. of the *Jericho Land Use and Development Regulations*.
3. The applicant submitted the Site Plan entitled dated 3/26/12, as prepared by Black Rock Construction, to show the overall layout of the site. No changes were proposed to the building footprint or existing parking and driveway areas.
4. There is currently a permitted apartment located on the second floor of the building, which is proposed to remain in use.
5. The proposal would re-purpose the existing structure, and convert the ground floor into three (3) apartment units.

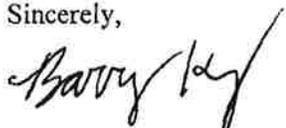
Erosion and Sediment Control on Construction Sites published by the Vermont Department of Environmental Conservation.

7. All other improvements shall adhere to the requirements of the *Town of Jericho Land Use & Development Regulations* (effective 02/07/2013) in effect as of this date.
8. The project will be constructed, and subsequently operated, consistent with all Findings of Fact and Conditions set forth above and in any other permit obtained by the applicant for this project.
9. In accordance with the Land Use and Development Regulations §10.9.5.1, this conditional use approval shall expire if a zoning permit is not obtained within 180 calendar days of approval, unless the Development Review Board grants an extension.
10. Substantial revisions to this approved use shall require the further review and approval of the Development Review Board at a publicly warned hearing.
11. By acceptance of these Conditions without appeal, the applicants confirm and agree for themselves and all successors in interest that the conditions of this decision shall run with the land and shall be binding and enforceable.

Motion by Joe Flynn to approve, with conditions, the request by JD and Jennifer Bugbee for a change of use of the former Autosmith facility into a multifamily dwelling (greater than 2 units). This parcel is located at 5 South Main Street, in the Commercial (COM) Zoning District. Seconded by Jeff York. Those in favor: Barry King, Stephanie Hamilton, Joe Flynn and Jeff York. Opposed: None. Abstained: None. Motion carried 4-0.

In accordance with 24 V.S.A. §4471 any Interested Person may appeal this decision within 30 days by filing a notice of appeal by certified mail, sent to the State Environmental Court with a copy to the Town of Jericho.

Sincerely,



Barry J. King, Chair  
Jericho Development Review Board

cc: JD and Jennifer Bugbee, Owners  
Town Clerk  
Lister - Town of Jericho  
Selectboard